

FILED

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
MIDDLE DIVISION

01 MAY -8 PM12:16

U.S. DISTRICT COURT  
N.D. OF ALABAMA

MADE IN THE USA FOUNDATION,  
UNITED STEELWORKERS OF  
AMERICA, AFL-CIO-CLC, LOCAL  
12L, UNITED STEELWORKERS OF  
AMERICA,

CV 98-PT-1794-M

Plaintiff,

vs.

UNITED STATES OF AMERICA,

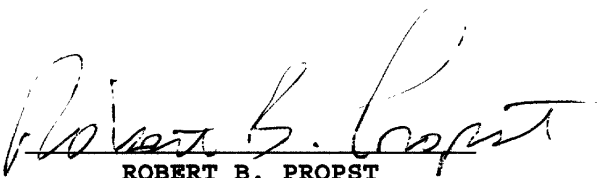
Defendant.

ENTERED  
MAY 8 2001

DISMISSAL ORDER

On accordance with the opinion and mandate of the Eleventh  
Circuit Court of Appeals, this action is **DISMISSED** for lack of  
subject matter jurisdiction.<sup>1</sup>

DONE and ORDERED this 8<sup>th</sup> day of May, 2001.

  
ROBERT B. PROPST  
SENIOR UNITED STATES DISTRICT JUDGE

<sup>1</sup>Apparently the appellate court determined that while some international agreements may be subject "to the rigors of the [treaty] clause's procedural requirements," and that the political branches cannot "exercise unfettered discretion in determining whether to subject a particular agreement to the rigors of that clause's procedural requirements," district courts should not reach the constitutional issue if it first determines that the practice followed was constitutional. Chicken? Egg? Which?